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Common core document — Azerbaijan

I. General information about the reporting State

Azerbaijan lies at the crossroads of Asia and Europe. Located in the south-east of the southern Caucasus, it is bordered to the north by the Russian Federation, to the south by the Islamic Republic of Iran and to the west by Turkey, Georgia and Armenia, with Kazakhstan and Turkmenistan to the east across the Caspian Sea. The Nakhichevan Autonomous Republic is part of Azerbaijan.

Official name: Republic of Azerbaijan (Azərbaycan Respublikası).

Form of government: Democratic, legal, secular, unitary republic with a unicameral Parliament, the Milli Mejlis, composed of 125 deputies.

Head of State: the President; capital city: Baku (Bakı); monetary unit: manat; total land area of the country: 86,600 km^2.

Religion: 96 per cent of the population are Muslims, 4 per cent belong to other religions (Judaism, Christianity, Baha'i and Krishna Consciousness). As at 1 June 2017, the country had 760 religious communities registered with the State:

732 were Muslim and 28 were non-Muslim religious communities (17 Christian, 8 Jewish, 1 Krishna Consciousness and 2 Baha'i). There are 2,166 mosques, 13 churches and 7 synagogues.

A. Demographic, economic, social and cultural characteristics of the State

Historical background

1. Azerbaijan is one of the most ancient centres of civilization in the world. Its historical borders cover the eastern part of the southern Caucasus and the north-west of Iran. Archaeological excavations conducted in Azerbaijan show that human beings were living here more than 1.5 million years ago. A study of the Guruchai archaeological culture, the most ancient culture in the territory of the former Soviet Union, and the similar Oldowan culture in Africa confirms that the territory of Azerbaijan was part of the ancestral homeland of humankind. In 1968, a fragment of a lower mandible of an Azykhantrop, an ancient hominid that lived between 350,000 and 400,000 years ago, was discovered in the Middle Acheulian layer in a cave at Azikh, on the left bank of the Guruchai river. A series of rock images created 12,000 years ago by inhabitants of Gobustan (60 km from the city of Baku) is an outstanding monument of the Mesolithic and subsequent eras, an art gallery of its time. With the collapse of the Kura-Aras culture, a new phase began in the history of its people, including the ancient ancestors of today's Azerbaijanis.

2. From studies carried out on the rock images between 1979 and 1994, it is considered that the shores of the Caspian Sea were the cradle of a civilization that then spread southwards and northwards across the water.

3. Indications can be found dating from the end of the fourth and beginning of the third millennium B.C. of the first class-based societies, early urban civilization and early State institutions. It was at that time that the clan-based societies of the Kuti and Lullubi peoples appeared in Aratta.

4. Ancient cuneiform sources have been found showing that the first Azerbaijani State, Aratta, was created in the first half of the third millennium B.C., in the area to the south and south-east of Lake Urmia.

5. In 2,300 B.C., the second ancient Azerbaijani State, Lullubi, arose to the south of Lake Urmia. The ancient State of Kuti formed to the west and south-west of Lake Urmia in the second half of the third millennium B.C.

6. The ancient States of Azerbaijan maintained political, economic and cultural links with the Sumerians and the Akkadians. The dynasties of ancient Turkic descent that ruled in Mesopotamia played an active role in its cultural formation. Since ancient times, the Turkic-speaking peoples in the territory of Azerbaijan have been fire-worshippers and followers of one of the world's oldest religions, Zoroastrianism.

7. From the mid-ninth to the seventh centuries B.C., another ancient Azerbaijani State, Manna, ruled in the area of Lake Urmia. The Cimmerian-Scythian-Saka kingdom prospered in the south-west of Azerbaijan in the seventh and sixth centuries B.C. At the end of the seventh–beginning of the sixth centuries B.C., having defeated the Assyrians, the State of Media brought the kingdoms of Mannea and Urartu and the Scythians under its rule. However, those States retained their system of self-governance for some time, acting as "junior" allies of Media.

8. With the fall of Media in the mid-sixth century B.C. (550 B.C.), the historical territory of Azerbaijan was occupied by the newly formed Achaemenid Persian State. Around 430 B.C., Graeco-Macedonian troops led by Alexander the Great defeated that State. A new phase in the history of Azerbaijani statehood began. The early 420s B.C. saw the appearance of a newly independent state which was at first officially called Media Atropatene and a little later Atropatene (Atrpatakan, Adurbadagan and hence Azerbaijan). Appearing on the historical stage two and a half centuries after the fall of Manna, Atropatene became the first eastern State that was politically independent from the Graeco-Macedonian conquerors.

9. At the end of the fourth–beginning of the third millennium B.C., the ancient State of Caucasian Albania was established in the north of Azerbaijan, with the Araz River forming its southern border. Coins, an important attribute of a state, were first produced in Caucasian Albania in the second half of the third century B.C., the aim being to strengthen the domestic market.

10. The people of Caucasian Albania included a number of different ethnic groups, most of whom spoke Turkic languages. Christianity was adopted in Caucasian Albania from 313.

11. Between the first and the fourth century, politically, Caucasian Albania remained a single independent State. Along with political independence came the flourishing of education, language and culture. The Albanian Church was independent from other Christian churches and promoted Christianity among the north Caucasian and Turkic-speaking peoples.

12. At the beginning of the first century B.C., the Arsacids, who succeeded the Atropatene ruling dynasty, also took over power in Caucasian Albania, overthrowing the local Arranshakhid dynasty. In the first centuries A.D., as a result of a crisis in the slave-owning order, the seeds of a more modern socioeconomic formation arose throughout the Mediterranean lands and the countries of Western Asia.

13. Under Javanshir (642–681), the most outstanding representative of this dynasty, despite the Arab conquest that began in 643 and the complete annexation of southern Azerbaijan-Adurbadagan by the Arabs, Caucasian Albania was still able to maintain relative independence for some time. However, as a result of attacks from three sides (the Khazars, the Arabs and the Byzantines), all the territory of Azerbaijan was conquered and, in 705, having lost even its vassal status, Caucasian Albania joined the Arab Caliphate.

14. In the second half of the ninth century, the strengthening of local emirs and the popular liberation movement in the Arab Caliphate were decisive in the creation of new feudal States in the territory of Azerbaijan.

15. A number of new states arose on the territory of Azerbaijan in the ninth century, the most powerful of them being the State of Shirvan, with its capital in Shamakhi. The State, which existed until the sixteenth century, played a significant role in the history of medieval Azerbaijan.

16. The population of the towns of Shirvan had a complex social structure, characteristic of a feudal society. After the earthquake in 1192, the capital was transferred temporarily to

Baku. Falling at various times under the influence of other states, the Shirvanshahs included the names of other overlords on their coins.

17. In the eighth and beginning of the ninth centuries, another Azerbaijani State arose in the north-west of the territory: the dominion of Shaki.

18. From the ninth to the eleventh century, the territory of Azerbaijan saw the appearance of the independent States of the Sajids, the Sallarids, the Ravvadids (with Maraga, Ardabil and Tabriz as their capitals) and the Shaddadids (with Ganja as the capital).

19. One exceptional representative of the Sajid dynasty was Yusuf ibn Abi'l Saj, who first brought together all the lands of Azerbaijan in a single State.

20. Towards the end of the eleventh century, power in Azerbaijan moved to the Seljuks. Between 1136 and 1225, the Ildenizid Atabegs ruled in Azerbaijan.

21. This period is considered as a time of cultural flourishing in Azerbaijan, which gave the world many eminent philosophers, architects, poets and scientists. The work of the poet and philosopher Nizami Ganjavi is a treasure of the world's cultural heritage.

22. In the 1320s and 1330s, with the devastating campaigns of the Mongols, many local dynasties in Azerbaijan ceased to exist. Between 1239 and 1256, these areas were ruled by governors under the Mongol Empire. In 1258, Azerbaijan became part of the fifth Mongol Ulus — the Ilkhanid State, which covered territory from Egypt to the Amu Darya, from Derbent to the Strait of Hormuz. In 1359, after the fall of the Ilkhanid State in 1357, Azerbaijan joined the Jalairid sultanate. The Azerbaijani town of Tabriz became the capital of the State, which included Arabic Iraq, Persian Iraq and Georgia.

23. At the end of the fourteenth century, forces under the Central Asian Emir Timur (Tamerlane) and Tokhtamysh, Khan of the Golden Horde, attacked Azerbaijan by turn. All the attempts by the Jalairids from 1386 to 1405 (the death of Emir Timur) to win back political power in Azerbaijan failed.

24. The unifying policy of Shirvanshah Ibrahim I (1382–1417) was an important factor in the history of the statehood of Azerbaijan. But the victory of the Garagoyunlus over the Timurids and the Jalairids, as well as internal rivalries between feudal lords, hindered that policy.

25. In 1410, along with the territory of Azerbaijan south of the Kura River, the new State of Qara Qoyunlu conquered Eastern Anatolia and Arabic Iraq, including Baghdad. Qara Yusuf ruled Azerbaijan, with Tabriz as the State capital, while his sons ruled other areas. The Qara Qoyunlu State flourished under the rule of Qara Yusuf's son Jahan Shah (1435–1467). In 1441, the tolerant religious policy of Jahan Shah allowed the Armenian Gregorian Catholicos to move to Etchmiadzin. In 1468, the Aq Qoyunlu State was formed of Azerbaijan, Eastern Anatolia, Arabic Iraq and almost all the territory of Iran. The State, which had Azerbaijan at its centre and Tabriz as its capital, was founded by the famous statesman Uzun Hasan. Under his rule, Azerbaijan entered European and world politics for the first time.

26. In 1501, the Safavid empire was established in Azerbaijan, with its capital at Tabriz. It was named in honour of the ruling Azerbaijani dynasty which traced its origins to Sheikh Safi-ad-din (1252–1334).

27. Under this dynasty, for the first time in its history, all lands of Azerbaijan were merged into a single Azerbaijani State. The territory of the Safavid State extended from the Amu Darya River to the Euphrates and from Derbent city to the shores of the Persian Gulf. It was established and developed as an essentially Azerbaijani State and all political power remained in the hands of the Azerbaijani feudal nobility. Senior judicial officers, military generals and provincial governors were appointed from among the Azerbaijani nobility. The army was drawn from the militias of the most powerful Azerbaijani clans. Azerbaijani was the official language of the Safavid State. At the end of the sixteenth century, the capital of the Safavid State was transferred to Isfahan, and the Shah drew support primarily from the Persian nobility. Researchers consider the Safavid period as a new phase of renaissance in Azerbaijani culture.

28. At the end of the seventeenth and beginning of the eighteenth century, a political and economic crisis in the Safavid State weakened Azerbaijan. In 1736, Nadr Qolī Beg, a talented commander in the Safavid army, declared himself Shah, bringing an end to the rule of the Safavid dynasty. By means of expansionist wars, Nadir Shah, as he became, established an empire that included Azerbaijan. Abolishing the Azerbaijani provinces (Shirvan, Karabakh, Tabriz and Chokhur-e Sa'd), Nadir Shah formed the province of Azerbaijan, which included Yerevan and Derbent.

29. After the death of Nadir in 1747, the State fell apart. A number of independent khanates grew up on the territory of Azerbaijan: Nakhichevan, Yerevan, Ganja, Karabakh, Shamakhi, Shaki, Derbent, Quba, Baku, Javad and Lankaran. In the South, the khanates of Tabriz, Urmia, Ardabil, Khoy, Karadagh, Maragheh, Maku and Sarab were formed. The sultanates of Qazakh, Borchali, Qabala, Aresh, Shamshadin and Elisu were created. The Djaro-Belokani jamaat was to the north-east. The *melikdoms* or principalities of Varanda, Khachen, Gulistan, Dizak and Jraberd lay in the mountainous parts of the Karabakh khanate.

30. On 14 May 1805, the Azerbaijani khan, Ibrahim Khalil, signed the Kurekchai Treaty under which the independent Azerbaijani khanate of Karabakh came under the patronage of Russia, thereby confirmed the vassal dependence of the Karabakh khanate on the Russian Empire.

31. Between 1805 and 1806, the Shaki, Shirvan, Derbent, Baku and Quba khanates also came under the control of Russia. On 13 October 1813, the Treaty of Gulistan was signed, bringing an end to the Russian-Iranian war that had begun in 1804. Under the Treaty, the territory of the Azerbaijani khanates to the north of the river Araz (except Yerevan and Nakhichevan) were incorporated into the Russian Empire. Subsequently, the khanates were abolished, becoming eponymous provinces. Under the 1828 Treaty of Turkmenchay between Russia and Iran, Russian troops left the territory they had occupied in southern Azerbaijan, transferring it to the Iranian State. The Nakhichevan and Yerevan khanates became part of Russia. With the conquest of northern Azerbaijan by Russia, the Azerbaijani khanates definitively lost their independence. A single people was pulled apart. The northern part of Azerbaijan became a colony of Russia.

32. A policy of colonization was implemented in Azerbaijan, with Germans, Armenians and Russians resettled in the area. Under tsarist rule, everything possible was done to prevent the establishment of local self-government in Azerbaijan, and supreme authority in the Caucasus was placed in the hands of the governors. The repeated administrative redrawing of the maps of the Caucasus was aimed at consolidating the region's inclusion in the empire and weakening the dominance of one part of its population over any other. Pursuant to a decree signed by Tsar Nicholas I on 21 March 1828, territory was taken from the former Nakhichevan and Yerevan khanates, with their predominantly Turkic Azerbaijani populations, to create an Armenian province and thus, by resettling Armenians from Iran and Turkey there, weaken the dominance of Azerbaijanis in that part of Azerbaijan. Armenians were encouraged to resettle not only in the towns but also in villages with predominantly Caucasian Turkic populations, thus creating an artificial strip of Armenian settlements in Nagorno-Karabakh. As a result of the tsarist administrative reforms and resettlement policy, the territorial integrity of the historic lands of Azerbaijan was violated and the foundations were laid for the Armenian-Azerbaijani inter-ethnic conflict of the twentieth century.

33. With the overthrow of tsarism and its colonial system in February 1917, the political and security situation in Azerbaijan changed. Bolshevik-Dashnak armed units under the leadership of Stepan Shaumyan, who were opposed to Azerbaijani independence, began the mass slaughter of Azerbaijanis in Baku, Shamakhi, Quba, Lankaran, Yerevan, Zangezur, Nakhichevan and other regions of Azerbaijan. More than 700,000 Azerbaijanis were victims of the genocide on the territory of Azerbaijan.

34. On 28 May 1918, at a meeting of the Azerbaijani Interim National Council, a decision was adopted on the establishment of an independent Democratic Republic of Azerbaijan.

35. On 29 May 1918, the National Council of the Democratic Republic of Azerbaijan was forced by circumstances to adopt a decision ceding to the Armenians the city of Yerevan and a total of 9 km^2 of the surrounding areas, on which the so-called first Armenian Republic was established.

36. In the period 1918–1920, the Azerbaijani Democratic Republic established diplomatic relations with a number of States. Agreements on the principles of relations were signed with several of them, and 16 States set up embassies in Baku.

37. On 28 December 1918, the Government of Azerbaijan sent a delegation to the Paris Peace Conference to seek admission to the League of Nations. As a result of the efforts of the Azerbaijani delegation and in the face of the growing threat of Soviet Russia occupying the Caucasus, on 12 January 1920, the Supreme Council of the Allied Powers at the Paris Peace Conference decided to recognize de facto the independence of the Democratic Republic of Azerbaijan.

38. The political decision of the Bolshevik Government of the Russian Socialist Federal Republic not to recognize the Democratic Republic of Azerbaijan, the deployment of the Eleventh Red Army on the borders of the Republic of Azerbaijan in spring 1920, aggression by the Dashnak Government of Armenia against Azerbaijan in Karabakh and Zangezur, terrorist attacks by Armenians and Bolsheviks on the peaceful Azerbaijani population within Azerbaijan and the socioeconomic crisis that hit the country were the factors that led to the weakening of the Democratic Republic of Azerbaijan and its occupation by the Soviet Army on 27 and 28 April 1920.

39. On 28 April 1920, it was announced that the Soviet Socialist Republic of Azerbaijan (Azerbaijan SSR) had been created on the territory of the Democratic Republic of Azerbaijan. The convening of the First Congress of Soviets of the Azerbaijan SSR on 6 March 1921 completed the sovietization of Northern Azerbaijan. The first Constitution of the Azerbaijan SSR was adopted on 19 May that year.

40. The Azerbaijani people played an active part in the Second World War. Between 1941 and 1945, more than 600,000 young men and women left for the battle front. Azerbaijani military divisions fought all the way from the Caucasus to Berlin. Around 130 of our compatriots were awarded the title of Hero of the Soviet Union and a further 30 were awarded the Order of Glory, third class. More than 170,000 Azerbaijani soldiers and officers were awarded medals and decorations of the Union of Soviet Socialist Republics (USSR). During the war years, Azerbaijani oil workers supplied the front with about 80 per cent of the petroleum and petroleum products produced at that time in the USSR.

41. Between 1970 and 1985, Azerbaijan established its State sovereignty and economic independence, systematically expanding its foreign economic ties and gradually becoming integrated into the global economy on the basis of its domestic economic capacity. It was at that time that new progressive industries such as electronic engineering, radio manufacturing and the production of machinery and equipment for light industry and food processing developed in Azerbaijan. In total, 213 major industrial enterprises came into operation. In many industries, Azerbaijan held the leading position in the USSR.

42. Compulsory secondary education was introduced in the Azerbaijan SSR, and a network of educational institutions, including universities, was developed, together with the Academy of Sciences; women's rights were protected and their active participation in social and economic life was encouraged; dozens of theatres opened, film production developed, and thousands of newspapers and magazines began to be published.

43. On 18 October 1991, Azerbaijan declared its independence with the Constitutional Act on the State Independence of the Republic of Azerbaijan.

44. In May 1992, the Milli Mejlis adopted the national anthem of the Republic of Azerbaijan and, some time later, the national flag and the State emblem of an eight-pointed star with a tongue of flame in the centre.

45. In June 1993, at the insistence of the people, a change of power took place and the second historical period in the country's independent statehood began. The country needed to be saved from those waiting for it to fall into catastrophe, from interference by anti-

Azerbaijani forces, both internal and external, from civil war, the continued occupation of our lands and, finally, from the destruction of government independence and the dismemberment of Azerbaijan.

46. The return of Heydar Aliyev to power in Azerbaijan in 1993 was the point at which the revival of Azerbaijani statehood and the Azerbaijani people truly began. Standing at the helm of the young State, he strengthened its independence, making it irreversible, launched a comprehensive reform and brought Azerbaijan to an advanced position in the global arena.

47. Beginning in November 1993, firstly, emergency measures were implemented in respect of the formation of the national army, the establishment of regular armed forces and the defence of our lands and, secondly, all political and diplomatic means were brought into play to achieve a ceasefire. As a result, in May 1994, a ceasefire was agreed in the Armenian-Azerbaijani war.

48. The ceasefire, the normalization of the internal situation, the strengthening of social and political stability and the elimination of tension in the region between Azerbaijan and its neighbouring States were all conditional on the existence of Azerbaijan as an independent State and its further development.

49. As a result of intense and exhaustive work at the Budapest Summit in 1994, the Organization for Security and Cooperation in Europe (OSCE) adopted a decision on the settlement of the Nagorno-Karabakh conflict in accordance with international law.

50. In September 1994, taking advantage of the relative peace in Azerbaijan and increased confidence and interest in our country from the international community, the first oil contract, the "Contract of the Century", was signed.

51. In proclaiming its national independence, Azerbaijan made a statement that it would work to build a democratic, secular State governed by the rule of law. In 1995, the process of establishing the necessary independent State institutions in Azerbaijan and the construction of the State came to fruition. The legal framework for this, adopted by nationwide referendum on 12 November 1995, is the Constitution of Azerbaijan.

52. Over the subsequent period, the country's statehood became stronger and democratic principles became firmly established. The process of building a democratic, secular State based on the rule of law was conducted successfully and rapidly.

53. The country's wealth of expertise, its precious natural resources and its unique geographical position on the path from Europe to Asia allow it to take its rightful place in the international community.

Armed aggression by the Republic of Armenia against the Republic of Azerbaijan

54. At the end of 1987, the Armenian Soviet Socialist Republic (Armenian SSR) made open claims to the territory of the Nagorno-Karabakh Autonomous Province in the Azerbaijan Soviet Socialist Republic (Azerbaijan SSR). This marked the beginning of the expulsion of Azerbaijanis from the Armenian SSR and the Nagorno-Karabakh Autonomous Province, as well as the adoption of a number of illegal decisions aimed at the unilateral secession of the Province from the Azerbaijan SSR.

55. On 22 February 1988, near the town of Askeran, on the Khan Kandi-Aghdam highway, the Armenians opened fire on a peaceful public demonstration by Azerbaijanis. Two young Azerbaijanis were killed, the first victims of the conflict.

56. The collapse of the USSR finally freed the hands of the Armenian nationalists. The end of 1991 and the beginning of 1992 saw the start of the military phase of the conflict. Armenia initiated military operations on the territory of Azerbaijan. In 1992 and 1993, a significant part of the territory of Azerbaijan, including Nagorno-Karabakh and several adjacent areas, was occupied by Armenia. The war unleashed against Azerbaijan led to the deaths and wounding of thousands of people; hundreds of thousands became refugees and were forced to move away and several thousands disappeared without a trace. The most serious international crimes were committed during the war.

57. During the night of 25 to 26 February 1992, Armenian armed forces, with the support of the 366th Guards infantry regiment of the former USSR, which consisted mainly of Armenians, seized the town of Khojaly. This bloody tragedy, which became known as the Khojaly genocide, was accompanied by the killing or capture of thousands of Azerbaijanis. The town was razed to the ground. In all, 613 civilians were killed, including 106 women, 63 children and 70 elderly persons. Another 1,000 persons were wounded and 1,275 were taken hostage. One hundred and fifty residents of the city are still missing today.

58. The intentional killing of residents of the town of Khojaly on 25 and 26 February 1992 was aimed at their mass extermination simply because they were Azerbaijanis. The town of Khojaly was chosen as the first step in the further occupation and ethnic cleansing of Azerbaijani territories, aimed at spreading terror in the hearts of people, panic and fear caused by the horrifying massacre.

59. In May 1992, the Azerbaijani-populated administrative centre of Shusha in Nagorno-Karabakh and the district of Lachin, situated between Armenia and Nagorno-Karabakh, were occupied. In 1993, the Armenian armed forces captured six districts of Azerbaijan in Nagorno-Karabakh: Kelbajar (April 1993), Aghdam (July 1993), Jabrayil (August 1993), Qubadli (August 1993), Fizuli (August 1993) and Zangelan (October 1993).

60. During its aggression against Azerbaijan, the Armenian side committed gross violations of the norms of international humanitarian law; there were numerous incidents of extrajudicial executions and mass shootings, torture and other cruel and inhuman treatment and punishment of peaceful Azerbaijani civilians, hostages and prisoners of war.

61. According to the State Commission of the Republic of Azerbaijan on Prisoners of War, Hostages and Missing Persons, as at 12 July 2017, there were 3,868 persons on the list of missing citizens of Azerbaijan.

62. The fate of two Azerbaijanis, Dilgam Askerov and Shahbaz Guliyev, who were taken hostage by the Armenian side in July 2014, continues to be a matter of serious concern for the Government of Azerbaijan.

63. As a result of the occupation by the Republic of Armenia of 20 per cent of the territory of Azerbaijan, more than a million refugees and internally displaced persons have been dispersed to different regions of Azerbaijan. The aggression against the Republic of Azerbaijan also has caused serious social and economic damage.

64. It is internationally recognized that Azerbaijani territories are under occupation and that Armenia has been actively involved in the creation and maintenance of that situation. The Armenian presence in the occupied territories and its exceptional nature is explicitly recognized by international organizations and some States. Armenia is an occupying power in the terms of the relevant international legal instruments.

65. The legal and political components of a settlement to the conflict are based on the norms and principles of international law, as set out in United Nations Security Council resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993) and General Assembly resolution 62/243, as well as the relevant documents and decisions of OSCE and other international organizations. The above-mentioned Security Council resolutions were adopted in 1993 in response to the occupation of the territories of Azerbaijan and reaffirmed respect for the sovereignty, territorial integrity and inviolability of the international borders of the Republic of Azerbaijan and of all other States in the region. In the resolutions, the Security Council demanded the immediate cessation of all hostile acts and the immediate, complete and unconditional withdrawal of all occupying forces from all occupied territories of the Republic of Azerbaijan; it called for the return of refugees and displaced populations to their homes. The Security Council also endorsed the efforts of the Minsk Group, aimed at the peaceful settlement of the conflict and called for a settlement of the conflict to be reached within the OSCE Minsk process. Armenia has not implemented any of the resolutions.

66. Armenia is trying to consolidate the current status quo and ultimately impose a fait accompli through measures designed to prevent the expelled Azerbaijani population returning to their places of origin. Such measures include the continued illegal practice of

settling and conducting economic activities in the occupied territories, together with serious and systematic interference into property rights.

67. On 16 June 2015, the Grand Chamber of the European Court of Human Rights adopted a decision in the case of *Elkhan Chiragov and others v. Armenia*. The case, dating from 6 April 2005, was based on a claim by six citizens of Azerbaijan against Armenia; they were unable to return to their homes and had been deprived of their property in the Lachin district of Azerbaijan, having been expelled in 1992 as a result of the Armenia-Azerbaijan Nagorno-Karabakh conflict. In its judgment, the Court found continuing violations of the right to property, the right to respect for private and family life and the right to an effective remedy. The Court affirmed the right of internally displaced persons to property and to return to their homes. The Court concluded that Armenia, through its military presence and the provision of military equipment and expertise, had been significantly involved in the Nagorno-Karabakh conflict from an early date and was responsible for violations of the rights of Azerbaijani displaced persons

68. Armenia continues to take measures intentionally aimed at building up its military presence in the occupied territories of Azerbaijan. The arms control mechanism is not functional in the territories of Azerbaijan occupied by Armenia. The accumulation of large quantities of weapons and ammunition in the occupied territories, which are not under international control, poses a serious threat to regional peace and security.

69. Between 2 and 5 April 2016, intense bombing took place of positions of the armed forces of Azerbaijan and the civilian population residing in the areas adjacent to the line of contact. As a result of the heavy shelling, a large number of soldiers and civilians were killed or injured and homes, schools and other public buildings were destroyed.

70. In response, the armed forces of Azerbaijan managed to free many important hills around the village of Talesh and Lele Tepe hill, which represented a threat to Naftalan town and Goranboy district as well as to Goradiz and the nearby villages in Jabrail district. More than 2,000 hectares of strategic territories of the Republic of Azerbaijan were freed to ensure the safety of the citizens and the settlements.

71. Immediately after the April events, the President of Azerbaijan signed an order on the reconstruction of the village of Jojug Marjanli in Jabrail district. Over a period of two months, part of the village was rebuilt, with 50 houses, a school and a mosque. Nine kilometres of road were built between Goradiz and the village of Jojug Marjanli. Four displaced families were resettled in the houses built.

72. On 4 July 2017, a targeted and deliberate attack by the Armenian armed forces on the village of Alkhanly in Fizuli district of Azerbaijan killed a 2-year-old girl and her grandmother and injured another woman.

73. The criminal actions of Armenia have shattered the foundations of international humanitarian law and were aimed at creating a new spiral of social and humanitarian crisis by disrupting the normal life of the civilian population in areas close to the line of contact.

74. The Republic of Azerbaijan calls on the international community to take preventive measures against Armenia and oblige it to restore peace and withdraw its armed forces from all the occupied territories of Azerbaijan, including the Nagorno-Karabakh region.

B. Constitutional, political and legal structure of the State

75. The constitutional, political and legal structure of the State is described in the Constitution of 12 November 1995. State power in the Republic of Azerbaijan is based on the principle of the separation of powers: legislative power is exercised by the Milli Mejlis, executive power by the President of the Republic and judicial power by the courts.

76. The Constitution stipulates that no one but the elected representatives of the people may represent the people, speak on behalf of the people or make appeals on behalf of the people.

77. The people of Azerbaijan exercise their sovereign right directly by means of nationwide referendums and through representatives elected by free, secret and personal ballot on the basis of universal, equal and direct suffrage.

78. The rules for the organization and conduct of elections of deputies of the Milli Mejlis, the President and the municipalities, as well as of general referendums, are laid out in the Electoral Code of the Republic of Azerbaijan.

79. Deputies are elected to the Milli Mejlis on the basis of the "first past the post" electoral system and universal, equal and direct suffrage by free, secret and personal ballot. Each convocation of the Milli Mejlis has a five-year term of office. It meets for two regular sessions each year, in spring and autumn. Extraordinary sessions are convened by the Chair of the Milli Mejlis at the request of the President or of 42 deputies.

80. The country's legislative body establishes its own procedures and forms any relevant bodies, selecting its chair and vice-chairs, organizing committees and commissions and setting up the Court of Audit. The Milli Mejlis adopts constitutional laws, ordinary laws and regulations related to matters within its competence.

81. The President is elected for a period of seven years on the basis of universal, equal and direct suffrage by free, secret and personal ballot, by a majority of more than half of the votes of those participating.

82. The President of the Republic of Azerbaijan may be elected by citizens who have been permanently resident in the country for more than 10 years; they must have the right to vote, having not been condemned for a serious offence, not have any obligations towards other States, have higher education and not hold dual citizenship. The President has the right to immunity and his honour and dignity are protected by law.

83. In accordance with the changes made to the Constitution on the basis of the referendum held on 26 September 2016, the President may delegate the right to conclude inter-State and intergovernmental international treaties to the Vice-President, members of the Cabinet of Ministers or other persons appointed by the President.

84. Pursuant to the recent changes to the Constitution, the President shall appoint and dismiss the first vice-president and the vice-presidents. A vice-president must be a citizen of Azerbaijan who has the right to vote, has higher education and has no obligations towards other States. A vice-president has the right to immunity during his or her term of office.

85. To organize the implementation of executive power, the President establishes a Cabinet of Ministers, which is the highest executive body in the country and is accountable to the President. The Cabinet consists of the Prime Minister, deputy prime ministers, ministers and other heads of central executive bodies. The Prime Minister is appointed by the President with the approval of the Milli Mejlis; he or she enjoys personal immunity while in office.

86. In the municipalities, executive power is held by the heads of local authorities, who are appointed and dismissed by the President.

87. In accordance with article 125 of the Constitution, judicial power in Azerbaijan is exercised only through the courts. Judicial power is exercised by the Constitutional Court, the Supreme Court, the courts of appeal, and the general and specialized courts. The judicial system and procedures thereof are laid down in the Courts and Judges Act of 10 June 1997.

88. Judicial power is exercised through constitutional, civil and criminal legal proceedings provided for by the law. The Procurator's Office and defence counsel take part in criminal proceedings. The organization of the courts and their rules of procedure are established by law.

89. Judges must be citizens of the Republic of Azerbaijan, who have the right to vote, higher legal education and at least five years' experience in the legal profession; they are independent and inviolable. The courts render judgments in the name of the State and execution of such judgments is mandatory.

90. Citizens of Azerbaijan have the right to vote and be elected to State bodies, and to participate in referendums. The Constitution places restrictions on the right to participate in elections and referendums for persons recognized by a court decision as lacking legal capacity. In addition, the right to be elected may, by law, be restricted in respect of members of the military, judges, civil servants, religious leaders, persons deprived of their liberty in accordance with a court sentence that has come into force and other persons as specified in the Constitution and the law.

91. Citizens may participate in elections and referendums on a free and voluntary basis. No one may put pressure on citizens for the purpose of compelling them to participate or not to participate in elections or referendums, and no one may obstruct the free expression of their will. Citizens participate in elections and referendums on an equal footing.

92. Electoral legislation guarantees the electoral rights of representatives of all peoples and ethnic groups who are citizens of the Republic of Azerbaijan.

93. Under the Electoral Code, elections and referendums are organized and conducted by electoral commissions. The electoral commissions are responsible for the preparation and holding of elections, for determining and confirming the results of the voting and the outcome of elections, and for upholding and protecting the electoral rights of citizens; they also monitor compliance with those rights.

94. The parties represented in the Milli Mejlis as a result of the elections held in 2015 are:

Parties	*Number of deputies*
New Azerbaijan party (Yeni Azərbaycan Partiyası)	72
Independents (Bitərəflər)	40
Civic Unity Party (Vətəndaş Həmrəyliyi Partiyası)	2
The Motherland Party ("Ana Vətən" Partiyası)	2
Democratic Enlightenment of Azerbaijan Party (Azərbaycan Demokratik Maarifçilik Partiyası)	1
Social Prosperity of Azerbaijan Party (Azərbaycan Sosial Rifah Partiyası)	1
Social Democratic Party of Azerbaijan (Azərbaycan Sosial Demokrat Partiyası)	1
Unity Party (Vəhdət Partiyası)	1
National Renewal Movement Party (Milli Dirçəliş Hərəkatı Partiyası)	1
Democratic Reform of Azerbaijan Political Party (Azərbaycan Demokratik islahatlar Siyasi Partiyası)	1
Popular Front of United Azerbaijan Party (Bütöv Azərbaycan Xalq Cəbhəsi Partiyası)	1
Great Creation Party (Böyük Quruluş Partiyası)	1
Civic Unity Party (Vətəndaş Həmrəyliyi Partiyası)	1

95. Azerbaijan has a single electoral system. All elections and referendums held in Azerbaijan are organized in accordance with electoral legislation by local and district electoral commissions that form part of the system and whose activities are managed by the Central Electoral Commission.

96. The electoral commissions operate for a period of five years, in line with the Electoral Code. There are currently 125 district local electoral commissions and more than 5,400 local commissions operating in the country. In line with electoral legislation, the Central Electoral Commission has 18 members, the district commissions have 9 members and the local commissions have 6 members each.

97. The establishment, operation, rules for reorganization and closure of NGOs as legal entities and their activities, management and relations with the authorities are governed by the Non-Governmental Organizations (Voluntary Associations and Foundations) Act of 13 June 2000.

98. NGOs are registered with the relevant executive authority (the Ministry of Justice) in accordance with the State Registration and State Register of Legal Entities Act. They receive legal status only after they are officially registered.

99. As at 31 December 2016, there were 3,171 NGOs registered in Azerbaijan (2,957 associations and 179 foundations).

100. On the basis of a presidential decree of 20 November 2013 on improving the provision of e-services for NGOs, the Ministry of Justice established the "personal electronic window" information system. The system is a base for information exchange among NGOs, and between NGOs and government bodies, as well as for the provision of e-services.

101. The Framework for State Support for NGOs in Azerbaijan was approved by presidential decree on 27 July 2007. The Framework outlines the main principles and forms of State support for NGOs, the main means of providing that support and the conditions for the allocation of State funding for programmes, projects and activities that address the substantive issues of importance to the State and society.

102. The Presidential Council on State Support for NGOs was established by presidential decree on 13 December 2007. The Council provides government funding for programmes and projects aimed at fostering legal, political and civic culture, developing citizens' legal knowledge, guaranteeing their rights and freedoms, expanding freedom of thought, opinion and expression, ensuring the socioeconomic development of the regions, building up education, science, technology, culture and art, protecting the environment, promoting the social, moral and physical development of children, women and young people and protecting public health, as well as other important social issues.

103. As well as the Presidential Council on State Support for NGOs, funds such as the State Support for Media Development Fund, the Science Fund, the Youth Fund and the Knowledge Fund are successfully providing financial support to civil society institutions and NGOs.

104. In order to support the work of civil society, facilitate the procedure for obtaining grants from foreign donors and ensure transparency and the targeting of financial resources, on 21 October 2016, the Head of State signed a decree on a "single window" procedure for the allocation of grants by foreign donors in Azerbaijan. The single window principle has been in operation since 1 January 2017.

105. The administration of justice in Azerbaijan is conducted by three instances: the courts of cassation, the courts of appeal and the courts of first instance. According to article 19 of the Courts and Judges Act, the following courts in the judicial system are responsible for the administration of justice in Azerbaijan:

- District (municipal) courts
- Serious crimes courts
- Military courts
- Serious crimes courts of the Nakhichevan Autonomous Republic
- Administrative and economic courts
- The Supreme Court of the Nakhichevan Autonomous Republic
- Courts of appeal
- The Supreme Court of the Republic of Azerbaijan

106. Other courts may also be established in the legal system in accordance with the law. The number of judges in the country's judicial system is determined in accordance with article 109 (32) of the Act.

The Constitution

107. The Supreme Court is the highest judicial authority for civil, criminal and other cases heard in the general and specialized courts; it administers justice in cassation and

provides clarifications on judicial practice. The courts of appeal are courts of second instance for cases within their competence.

II. General framework for the protection and promotion of human rights

C. Adoption of international human rights standards

108. The Republic of Azerbaijan has acceded to all the major multilateral human rights treaties (annex 2) and regularly submits reports on their implementation to the relevant committees.

109. The provisions of international treaties may be cited in the courts and other administrative bodies in the framework of the national legal system. Under article 12 (II), of the Constitution, "The human and civil rights and freedoms enumerated in the Constitution shall be exercised in conformity with the international treaties to which Azerbaijan is a party."

110. Article 148 (II) of the Constitution provides that "The international treaties to which Azerbaijan is a party form an integral part of the legislative system of the Republic of Azerbaijan."

111. Article 151 of the Constitution contains the provision that, "In the event of a conflict between laws and regulations forming part of the country's legislative system (except for the Constitution and legislation adopted by referendum) and inter-State treaties to which Azerbaijan is a party, the international treaties shall apply."

D. Legal framework for the protection of human rights at the national level

112. Chapter III of the Constitution concerns fundamental human and citizen's rights and freedoms.

113. The Constitution lays out the rights and freedom of each person, from birth, and guarantees: the right to equality; the right to protection of human and civil rights and freedoms (every person has the right to protect their rights and freedoms in any way not forbidden by law); the right to life and freedom; the right to property; the right to intellectual property; the right to live in safety; the right to personal inviolability; the right to inviolability of the home; the right to marriage; the right to work, to strike and to enjoy leisure; the right to social security; the right to live in a healthy environment; the right to culture; the right to health protection; the right to education; the right to a home; the right to ethnic identity; the right to use native languages; the right to protection of honour and dignity; freedom of thought and speech; freedom of conscience; freedom of assembly; freedom of information; freedom of creativity; the right to citizenship and the guarantee of the right to citizenship; the right to participate in the political life of society and the State; the right to participate in the administration of the State; the right of suffrage; the right of appeal; the right of association; the right to free enterprise; the right to legal assistance, the presumption of innocence; and many other rights and freedoms.

114. In accordance with article 60 of the Constitution, everyone is guaranteed the protection of his or her rights and freedoms, both through administrative channels and in court. Everyone has the right to have his or her case heard by an impartial court within a reasonable time in administrative or judicial proceedings. Everyone has the right to be heard in administrative and judicial proceedings. Anyone may appeal through administrative channels and in court against actions or omissions of the public authorities, political parties, legal entities, municipal authorities or municipal officials.

115. Under article 26 of the Constitution, everyone has the right to protect his or her rights and freedoms by any method or means not prohibited by law. In accordance with article 68 of the Constitution, everyone has the right to be treated with respect and without

arbitrariness by the public authorities. The rights of victims of a crime or an abuse of power are protected by law. Victims have the right to participate in the administration of justice and to claim redress for harm suffered. Everyone has the right to compensation from the State for harm caused by the unlawful acts or omissions of public authorities or their officials. The State, together with public officials, bears civil liability for harm caused to human rights and freedoms as a result of unlawful acts or omissions, or violation of the guarantees of the rights and freedoms, by public officials.

116. The duties of the Commissioner for Human Rights (Ombudsman) are enshrined in the Constitution and the international instruments supported by Azerbaijan; they are aimed at the restoration of human rights and freedoms violated by State bodies, local government bodies or public officials, and the prevention of human rights violations. The status and activities of the Ombudsman are governed by the Constitutional Act on the Commissioner for Human Rights (Ombudsman).

117. The Ombudsman draws up an annual report on the situation of human rights and freedoms in the country and submits it to the President. The Ombudsman also makes annual reports to the Milli Mejlis.

118. To coordinate the protection of the rights and freedoms of various categories of the population, the Office of the Ombudsman has a number of specialized advisers working on the rights of military personnel, prisoners, refugees and internally displaced persons, the elderly, persons with disabilities, children and women, as well as on combating torture and corruption. The specialized advisers regularly examine national legislation and international legal instruments pertaining to their areas of activities and prepare relevant proposals and plans of action.

119. The Office of the Ombudsman collaborates actively with ethnic minority communities in the country, conducting monitoring in the places where they live. The Ombudsman holds regular meetings in regions that have high proportions of specific ethnic minorities, to find out about and resolve their problems.

120. Education in Azerbaijan is secular and continuous and is a priority area of strategic importance that reflects the interests of citizens, society and the State. Education in Azerbaijan is based on international human rights conventions and other international treaties to which Azerbaijan is a party, with national priorities and spiritual and human values as its foundation, through its integration into the global education system.

121. The Education Act of 19 June 2009 establishes the fundamental principles of State policy on protecting the citizen's right to education as enshrined in the Constitution and the overall regulatory environment for education; it plays a fundamental role in the adoption of relevant acts and other laws and regulations on the various levels in the education system.

122. The National Strategy for the Development of Education was approved by presidential order of 24 October 2013. The purpose of the Strategy is to develop an education system with competent teachers and an infrastructure based on new technologies, that will have a leading position among the countries of the world in terms of both qualitative indicators and scope.

123. Article 45 of the Constitution provides for the right to use one's mother tongue and also to receive an education and engage in creative activity in that language. No one may be deprived of the right to use their mother tongue.

124. To ensure the effective organization of the teaching of ethnic minority languages, considerable attention is paid to the preparation and publication of curricula, textbooks and teaching aids, teaching materials, guidelines, recommendations, etc. In Azerbaijan, complete general education is provided in six languages — Azerbaijani, Russian, Georgian, Turkish, English and French.

125. The main objective of the country's youth policy is to create the conditions for the physical, intellectual and spiritual development of young people, and to realize their capacities and skills.

126. The Youth Policy Act of 9 April 2002 describes the policy as a system of measures aimed at creating sociopolitical, socioeconomic, organizational and legal conditions and

safeguards to ensure the comprehensive development of the young people of the country and their active participation in the community.

127. A presidential order of 26 January 2015 approved the Strategy for the Development of Azerbaijani youth, 2015–2025, which identified goals, objectives, modalities and expected outcomes for the development of the country's youth to 2025.

128. The Presidential Youth Fund was set up pursuant to a presidential decree of 19 December 2011. The Youth Fund provides grants for public and socially important programmes for the development of science, culture and other areas relating to the youth policy, and supports projects at the international level.

129. Under a presidential order of 1 June 2017, a Division on Youth and Sports was established within the Presidential Administration.

130. Currently, there are over 300 registered voluntary youth organizations.

131. The country's successful socially-oriented policy has created opportunities for resolving problems related to health promotion and public health protection.

132. Significant work has been carried out in recent years to strengthen the financial and technical base of health provision, through the construction, renovation and reconstruction of new health facilities and the provision of modern equipment; the amount of the State budget allocated to health increases every year.

133. Under the State Programme for the Socioeconomic Development of the Regions of Azerbaijan, 2014–2018, work is continuing on the establishment of new health centres fitted with modern medical equipment and advanced technologies. As a result of the measures taken in the priority areas of health care, such as maternal and child health, diabetes, hereditary blood diseases, chronic renal insufficiency, tuberculosis and immunization against infectious diseases, the level of medical care has improved and the scope of checks for these diseases has broadened.

134. Government programmes in the area of maternal and child health are designed to reduce morbidity, disability and mortality among children, to continue reforms in the area of perinatal care and to improved reproductive health care for young people and family planning services.

E. Framework for the promotion of human rights at national level

135. A national programme of action to ensure better protection of human rights and freedoms in the country was approved by presidential order of 26 December 2011. Under the Programme, efforts have been made to improve the legal framework, enhance the activities of State bodies, protect the rights of different groups of the population and organize training, research and analysis in the area of human rights.

136. In recent years, a number of important instruments have been adopted to guarantee citizens' constitutional rights and freedoms; they include the Citizens' Appeals Act, the Public Participation Act, the Companies Inspections and Business Owners' Rights Act and the Act on the Rights and Freedoms of Persons held in Places of Detention.

137. The State Agency for Services and Social Innovations under the Office of the President (ASAN) was established in 2012 with a view to improving the provision of quality services to citizens, using innovative methods.

138. ASAN centres provide more than 200 types of services, including the services of 12 State bodies. The Agency promotes the wider use of electronic services, thereby reducing time loss, reinforcing trust in public structures, enhancing transparency and strengthening the fight against corruption.

139. There are ASAN service centres in the regions as well as in the capital. In locations where there are no such centres, services are provided to the public using appropriate vehicles equipped with special mobile ASAN service equipment.

140. In 2015, at the annual session of the United Nations Committee of Experts on Public Administration, the Agency won an award for its contribution to Improving the Delivery of Public Services.

141. An "e-government" portal has been set up with a view to protecting human rights and providing the public with a system for the effective and efficient use of public services. The main goals in setting up the portal included protecting human rights and freedoms, combating corruption and ensuring transparency. The "e-government" portal (www.e-gov.az) favours ease of contact between the public and the authorities through a "single window".

142. To improve knowledge through the teaching of human rights, the Office of the Ombudsman organizes educational events, based on the curricula of the educational establishments concerned, for students on specialized courses, judges, lawyers and public officials, in the Academy of Public Administration under the Office of the President, the Police Academy, the Academy of Justice, the Academy of Labour and Social Relations, the training centre of the Office of the Procurator General and military training institutions.

143. Every year, the Committee on the Family, Women and Children works with State bodies and NGOs on activities aimed at raising human rights awareness, both among public officials and professionals and through the media.

144. Staff of the various units of the State Migration Service attend courses at its Training Centre on topics such as human rights and freedoms, the rights of migrants in the context of human rights, human rights, the prohibition of torture, violence and inhuman treatment and the measures to be taken in this regard, the worst forms of child labour and ways of eradicating it, the identification of victims of trafficking, including persons engaged in forced labour, and the prevention and combating of illegal migration. Furthermore, the Centre also periodically offers training courses for foreign nationals and stateless persons on human rights and the protection of their rights, particularly those of children. During the reporting period, 35 training courses on the protection of human rights and freedoms were held.

145. Pursuant to a presidential order of 1 October 2009, a Research and Training Centre was set up under the Office of the Prosecutor General. The Centre has several sections, including a faculty of human rights and freedoms, the primary objective of which is to ensure the provision of appropriate studies and training on human rights for staff of the procuratorial services.

146. The Centre organizes training courses for interns and junior professionals, and further training and retraining courses for workers using modern information technologies. It also publishes the specialized journal of the Procuratorial Services of Azerbaijan. This is an additional channel for it to fulfil its mandate.

147. In addition, the Centre conducts practical and theoretical studies of the status of procedural documents, from the viewpoint of standards for the protection of human rights and freedoms. Human rights-based scientific and legal reviews are conducted of legislation and government programmes, projects and recommendations and other texts.

148. The Ministry of Internal Affairs periodically drafts curricula and teaching materials on human rights and freedoms and distributes them to the relevant bodies and units for teaching purposes. More than 80 per cent of the vocational training conducted in the field on specific days of the week concerns human rights and freedoms.

149. The activities of the 102 service and the "Safe City" system, which carry out urgent operations to prevent unlawful acts against persons and provide constant monitoring of respect for the rule of law, take the individual as their most important point of reference.

150. The Central Electoral Commission also pays special attention in its outreach programme to transmitting information to young people and first-time voters and, in order to encourage more active participation in elections, it organizes various seminars, discussions and meetings in collaboration with relevant State bodies and civil society institutions.

151. Within the outreach programme, and in conjunction with the Ministry of Internal Affairs, the Centre organizes seminars prior to all elections and referendums to raise the awareness of all concerned of the role of the police in the electoral or referendum process. The Central Electoral Commission and the Ministry of Internal Affairs prepare a special checklist for every election or referendum in order to educate members of the police force. The checklist is distributed to all police officers involved in the process and plays an important role in raising awareness of their rights and responsibilities during elections and referendums.

152. Extensive use is made of the media during electoral or referendum campaigns to explain electoral legislation, to improve the legal knowledge of those involved and to give the voters information about the candidates or on the issues in a referendum, through presentations, interviews, round-table discussions and Internet resources and the use of other visual aids (video clips, posters, booklets).

153. The official website of the Central Electoral Commission plays a special role in raising the awareness of voters, other persons involved in elections or referendums and the media. The website, which is regularly updated, offers all the information about the elections and referendums conducted in different years. Throughout the electoral process and beyond, users of the website can find all the information of interest to them. The Commission also provides e-services on 10 different topics as part of the publicly available e-government portal.

154. Social media are also used extensively to provide information to voters and other stakeholders. Information on the elections is made available promptly on the Commission's website and on social media and is periodically updated.

155. Pursuant to a presidential order of 13 January 2009, the functions of the national preventive mechanism, as provided for under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, are assigned to the Ombudsman.

156. The national preventive group was established in the Office of the Ombudsman pursuant to the constitutional law of 24 June 2011 amending the Constitutional Act on the Commissioner for Human Rights (Ombudsman).

157. On the basis of the Constitutional Act, the group may make unannounced visits without hindrance to places where persons are or may be deprived of their liberty, meet and speak in private with persons held there, and consult documents confirming the validity of the detention and the treatment and conditions of detention. The necessary amendments have been made to the regulatory instruments, including the Penal Enforcement Code and the internal regulations of remand centres and correctional institutions, to guarantee the rights and freedoms of persons held in detention facilities. Together with the Ombudsman, members of the group may at any time and without hindrance make unannounced visits to places of detention of persons who cannot leave voluntarily.

158. The Public Affairs Committee, which comprises prominent human rights defenders and representatives of civil society institutions, has been functioning successfully for more than 10 years. To monitor the conditions in which convicted prisoners are held, Committee members have made about 650 visits to correctional facilities and provided legal assistance to around 2,000 inmates.

159. Members of the Public Affairs Committee also sit on the Commission, which was formed in 2013. The Commission's meetings are held in prisons, with the participation of parents and relatives of prisoners and even victims. Representatives of the media are invited to the meetings. Over the reporting period, the Commission made recommendations to courts concerning the release from prison or transfer to a less harsh regime of approximately 7,200 prisoners. The courts issued positive decisions in around 93 per cent of the cases considered.

160. The adoption of the Public Participation Act helped to further enhance cooperation with civil society institutions. In 2014, changes were introduced in accordance with the Act to the rules governing the activities of the Public Affairs Committee, broadening its mandate to extend its period of activities (from one to two years); the Committee has also

begun, together with the prison system, to play an active part in work going on in other areas of the justice system.

161. To ensure more productive and focused cooperation, the Council of Independent Experts set up under the Office of the Ombudsman includes NGO representatives and independent experts. The goal of the Council is to look at the main areas of human rights, draw up proposals for improvements to legislation, international conventions and national laws and to hold joint activities.

162. A working group on business and human rights has been set up, comprising representatives of relevant public institutions and NGOs. A major part of its activities concerns measures to implement the Guiding Principles on Business and Human Rights and other international instruments in this area.

163. Subsequent to a presidential decree of 17 August 2006 on the development of the judiciary, a Judicial Academy has been set up within the Ministry of Justice. The Academy is a research institution for the professional development of persons with higher legal education in view of their appointment to posts in their area of specialization, and offers professional training for staff of the judiciary and the procuratorial services and other lawyers, so as to meet the needs of society in terms of qualified legal staff.

164. The Judicial Academy, the Judicial Council and the Judicial Selection Board organize the judicial selection process in the country. The Judicial Academy of the Ministry of Justice is a leading academic institution with a broad mandate for the training of legal staff. The Academy is a structural unit of the Ministry of Justice with general directorate status.

165. The agreement signed in 2000 between the Government of Azerbaijan and the International Committee of the Red Cross (ICRC) has made it possible for ICRC to visit convicted persons in places of detention.

F. Reporting process at the national level

166. In line with presidential decrees and decisions of the Cabinet of Ministers, the Government prepares country reports under the international human rights treaties to which Azerbaijan is a party.

167. Working groups that include representatives of the State bodies involved in preparation of the reports have been set up by presidential order. NGO representatives and independent experts also contribute to the work on the reports.

168. The media publish information on the preparation of the reports and their submission by government delegations to the United Nations treaty bodies.

G. Other related information on human rights

169. Measures are being taken to further improve national legislation in the area of migration. National legislation on migration is based on the principles of respect for human and civil rights and freedoms, the rule of law, equality before the law and the courts, the conformity of migration legislation with the generally accepted norms of international law and the application of innovative methods to ensure transparency.

170. The State Migration Service, set up pursuant to a presidential decree of 19 March 2007, implements government policy on migration, is developing a system for the governance, management and forecasting of migration processes and coordinates the activities of the relevant State bodies in this area.

171. The Migration Code defines government policy on migration and regulates migration processes and the legal status of foreign nationals and stateless persons in the country.

172. In accordance with a presidential decree of 4 March 2009, the principle of a "single window" in the management of migratory processes has become a key feature in the

development of a migration management system; taking international practice into account, it has helped to regulate migration processes in the country on the basis of more flexible and effective mechanisms, improving and simplifying the migration management mechanism, and ensuring responsiveness and transparency in the area.

173. Applications from persons wishing to obtain refugee status are examined in accordance with the Status of Refugees and Forcibly (Internally) Displaced Persons Act of 21 May 1999 and the procedure for the consideration of applications for refugee status, approved by presidential decree of 13 November 2000.

174. The new Code of Administrative Offences entered into force on 1 March 2016.

175. The Government of Azerbaijan continues to implement a series of comprehensive measures to improve the socioeconomic conditions of refugees and internally displaced persons and their temporary integration into society, taking account of their right to return safely to their homes in the future.

176. A State programme on improving the living conditions of, and increasing the level of employment among, refugees and internally displaced persons has been approved by presidential order. Under the programme, new settlements have been built for refugees and internally displaced persons, along with the necessary social infrastructure, funds have been allocated for their social protection and jobs have been found. As a result of the work done by the Government of Azerbaijan, the poverty rate among this category has declined from 75 per cent to 12 per cent.

177. Forcibly displaced persons are exempt from paying for utilities and other fee-based services. In addition, internally displaced persons studying in State-run fee-paying higher and secondary educational institutions are exempted from tuition fees.

178. There are national laws and regulations that govern the right to free, unhindered and equitable access to information, the legal framework for its handling, storage, retrieval, distribution and creation and the use of information systems, technologies and their means of support, based on the principles of an open society and a democratic State governed by the rule of law, as well as the relations arising in connection with the protection of information and the identification of those involved in information processes.

179. Current national legislation does not contain any norm concerning blocking or restricting access to the Internet, telecommunications or websites.

180. In accordance with article 6.3 of the Civil Code, civil rights may be restricted only by law if necessary to protect public safety, order, health or morals, or to protect the rights and freedoms, honour and good name of other persons.

III. Information on non-discrimination, equality and effective remedies

181. The Constitution establishes the basic principles for the country's national policies, ensuring the full equality of all its citizens, regardless of their ethnicity, religion or race. At the same time, as a result of its historical, economic and cultural specificities, the outlook of the country's population is based on the principles of tolerance and respect for the culture, religious beliefs, customs and traditions of other ethnic groups and national minorities.

182. The Government uses the existing legislative framework as a basis for the country's policy aimed at ensuring that the different peoples living there, of different ethnic origins, maintain relations of mutual trust, understanding and friendship. Any manifestation of ethnic, national, racial or other forms of discrimination in the country is unacceptable.

183. In meeting the provisions of international conventions aimed at eliminating and preventing all forms of discrimination, the Government focuses particularly on strengthening the traditions of religious tolerance and ensuring a sustainable living situation in conditions of understanding, peace, prosperity and dialogue for ethnic minorities.

184. Article 25 of the Constitution states that all persons are equal before the law and the courts. Men and women have equal rights and freedoms. The State guarantees equality of

rights and freedoms for everyone, regardless of race, ethnicity, religion, language, sex, origin, property, beliefs or membership of political parties, trade unions or other voluntary associations.

185. Human and civil rights and freedoms may not be restricted on the grounds of race, ethnicity, religion, language, sex, origin, beliefs or political or social affiliation.

186. In its article 47, the Constitution prohibits campaigns and propaganda that incite racial, ethnic, religious, social or any other form of discord or hatred.

187. Article 69 provides that foreign nationals and stateless persons in Azerbaijan may enjoy all the same rights and are subject to the same obligations as Azerbaijani citizens, unless otherwise provided by law or an international treaty to which Azerbaijan is a party.

188. The rights and freedoms of foreign nationals and stateless persons who are permanently or temporarily resident in the country may be restricted only in accordance with international legal norms or the laws of Azerbaijan.

189. Article 70 states that, in accordance with universally recognized international legal norms, Azerbaijan grants political asylum to foreign nationals and stateless persons.

190. The Act of 20 April 2012 amending the Political Parties Act sets forth provisions prohibiting any restrictions on membership of political parties based on professional, racial, political, ethnic or religious grounds, and bans the establishment and operation of political parties whose activities are aimed at the violent overthrow of the constitutional order or the secular nature of the State, violation of its territorial integrity, propaganda for war, violence and cruelty or incitement to racial, national and religious hatred.

191. Article 2.1.6 of the Personal Data Act of 11 May 2010 provides that information relating to racial or ethnic origin, family life, religion and religious beliefs, health or individual legal records is classed as personal data of a specific category.

192. In its article 6.2, the Culture Act of 21 December 2012 stipulates that the State guarantees every individual's enjoyment of rights and freedoms in the field of culture, irrespective of sex, race, language, religion and political opinion, ethnicity, social status, social origin, health or membership of voluntary associations, while article 43 provides that cultural events which include calls promoting or advocating war or superiority based on social, racial or ethnic origin, religion, class or birth, or the restriction of human and civil rights and fundamental freedoms in the area of culture, irrespective of race, ethnicity, religion, language, social origin, official status, beliefs or membership of voluntary associations, are considered unacceptable.

193. The Act of 8 May 2009 amending the Freedom of Religious Beliefs Act, in its article 1, includes a ban on advocacy for religious beliefs or religious lifestyles that involve violence or threats of violence or are aimed at establishing racial, ethnic, religious or social discord or hatred; and, under article 12.1, the promotion of religious beliefs or lifestyles that involve violence or threats of violence, or are aimed at establishing racial, ethnic, religious or social discord and hatred, coercion to express or demonstrate religious beliefs, the conduct of or participation in religious ceremonies of, or dissemination of or propaganda for, a religion or religious movement that degrades or contradicts the principles of humanism, and religious extremist activities are considered a basis for the dissolution of the religious organization according to court procedure.

194. In accordance with article 5.2 of the Education Act of 19 June 2009, the State guarantees access to education for every citizen, regardless of sex, race, language, religion, political opinion, ethnicity, social status, origin or health, and the prohibition of discrimination.

195. In accordance with article 23.2 of the Act on the rights and freedoms of persons held in places of detention, of 22 May 2012, detained persons may not acquire, possess or disseminate publications that advocate war, violence, extremism, terrorism and brutality or that incite racial, ethnic, religious or social discord and hatred or are pornographic in nature, and persons under arrest may not subscribe to such publications.

196. Under the Act of 28 April 2015 amending the Physical Culture and Sports Act in order to prevent violence and ensure public safety and public order during the holding of mass sports events and sports competitions, the promotion of violence, racial, ethnic or religious discrimination or war through the use of posters or other media is prohibited in the grounds of sports facilities and places for spectators at mass sports events.

197. Article 11 of the Code of Criminal Procedure states that criminal proceedings are conducted on the basis of the equality of all before the law and the courts.

198. The authorities conducting criminal proceedings shall not accord any participant in the criminal process any advantage for reasons of citizenship, social status, sex, race, ethnicity, political or religious affiliation, language, origin, wealth or official status, beliefs, place of residence, location or other considerations not founded in law.

199. Article 61.1.6 of the Criminal Code provides that, where the commission of an offence is motivated by ethnic, racial or religious hatred or fanaticism, such motives shall be considered to constitute aggravating circumstances.

200. Article 109 of the Criminal Code establishes criminal responsibility for the persecution of any group or organization on political, racial, national, ethnic, cultural or religious grounds, or on the grounds of sex or other grounds prohibited under the norms of international law; that is, a gross violation of people's fundamental rights on the grounds of their membership of such groups or organizations, where the act is linked to other crimes against the security of humankind, shall be considered a criminal offence.

201. Article 154 of the Criminal Code provides for criminal punishment in the case of violation of the equality of individuals on grounds of their race, ethnicity, religion, language, sex, origin, wealth or occupational status, beliefs or membership of political parties, trade unions or other civil society associations, whereby their rights and legitimate interests have been harmed.

202. Under the Criminal Code, crimes such as racial discrimination (apartheid) (art. 111), genocide (art. 103), incitement to commit genocide (art. 104), destruction of a population (art. 105), slavery (art. 106), deportation or forcible resettlement of a population (art. 107), persecution (art. 109) and enforced extermination (art. 110) are considered as criminal offences.

203. The court treats all persons participating in a case equally, regardless of their ethnic or racial origin, religion, language, sex, origin, wealth or social status, personal beliefs, membership of political parties, trade unions or other voluntary organizations, their location, reporting line, form of ownership or other circumstances not provided for in law.

204. Under article 16 of the Labour Code, no discrimination may be tolerated between workers in privileges and benefits awarded or restrictions imposed on rights, whether directly or indirectly, on grounds of citizenship, gender, race, religion, ethnic origin, language, place of residence, property status, social origin, age, family status, beliefs, political views, membership of trade unions or other voluntary associations, official status or other factors unrelated to the professional qualities, professional skills and job performance of employees.

205. The Gender (Men and Women) Equality Act of 10 October 2006 contains provisions on the elimination of gender inequality, the conducting of gender analysis and lays out the main directions of State policy on gender equality and the promotion of equity in education and entrepreneurship, in obtaining equal wages and work choices, etc.

206. In addition to the provisions mentioned, others relating to the prohibition of racial discrimination are also enshrined in individual regulations governing judges and public officials, including codes of conduct.

207. Thus, in line with article 8 of the Code of Ethical Conduct of Judges, approved by a Judicial Council decision of 22 June 2007, judges must treat all persons involved in proceedings (including lawyers, public officials, witnesses, etc.) equally. A judge may not give preference to any of the participants in proceedings. A judge shall not show any view in respect of race, sex, religion or ethnic origin, nor allow any form of discrimination.

208. Given the religious diversity that exists in society, State policy on religion is based on freedom of thought and expression, freedom of conscience, interreligious dialogue, tolerance and understanding. At the same time, the State policy in the field of religion is based on the principles and rules of international law, international treaties to which Azerbaijan is a party, the Constitution and other laws and regulations.

209. On 15 May 2014, the Baku International Multiculturalism Centre was established by presidential decree. The Centre's statutes identify it as a legal person, a non-profit entity that protects tolerance and cultural, religious and linguistic diversity, in accordance with the idea of Azerbaijanism, which has brought the country worldwide fame as a centre of multiculturalism, researching and developing existing models of multiculturalism.

210. The seventh Global Forum of the United Nations Alliance of Civilizations was held in Baku from 25 to 27 April 2016. The Fourth World Forum on Intercultural Dialogue was held in Baku from 4 to 6 May 2017 on the theme "Advancing Intercultural Dialogue — New avenues for human security, peace and sustainable development".

211. In discharging its duties and exercising its rights, the Centre collaborates with State agencies, local authorities, the media and local and foreign voluntary and international organizations.

212. Real qualitative changes have been achieved as a result of the legislative, organizational and other measures adopted by the Government over the past nine years (2009–2017) to extend the prison system reform in order to meet international standards on respecting the rights, freedoms and legal interests of persons under investigation and convicted prisoners.

213. A new Act on the rights and freedoms of persons in detention was adopted on 22 May 2012, significantly changing and making more humane the legal situation of detainees and remand prisoners.

214. It should be noted in particular that the President signed an order on improving work in the prison system, humanizing penal policy and increasing the use of non-custodial sentences and coercive procedures. The purpose of the order was to modernize the approach to penal policy, criminal legislation and ways of ensuring the rights of convicted persons; and to improve the prison system, making use of global best practice in the area.

215. One of the most important measures in terms of strengthening the social system and improving the well-being of poor families in the country has been the introduction of a mechanism for targeted State social assistance.

216. Its establishment was decided on as one of the six key strategic objectives for better social protection of vulnerable groups in the Government's poverty reduction programme.

217. A decree on improving the system was adopted on 23 February 2015, with the aim of ensuring broad public access to fast, user-friendly and transparent social services, using innovative technology, and strengthening social protection for poor families.

218. There are currently 11 residential homes and assisted living facilities under the Ministry that provide social services for persons with disabilities and the elderly. There are 14 rehabilitation centres in different parts of the country that offer interaction and teach simple work and life skills for persons with disabilities. Each year, more than 8,000 persons with disabilities are provided with rehabilitation and treatment services.

219. Domestic violence is one of the most pressing contemporary challenges. The Domestic Violence Prevention Act was adopted in 2010 to comprehensively combat and prevent the problem; it introduced and regulated measures to prevent violence in the context of close family relationships or between current or former cohabiting partners and the resultant negative legal, health and social impacts, providing social protection and legal assistance for victims of domestic violence, as well as removing the circumstances that can lead to domestic violence.

220. In the regions, local authorities have established monitoring groups, with local authority representatives, to look at gender-based violence and violence against children. The main objective of the groups is to analyse and assess the situation, to verify the

effectiveness of measures taken, to identify families at risk and provide them with assistance, to examine and analyse the causes of specific cases, including by discussing serious cases and taking prompt and urgent measures to protect victims of violence.

221. To prevent cases of violence against children and provide rehabilitation for child victims of violence, the Centre for Social and Psychological Rehabilitation for Child and Adolescent Victims of Violence and Crime, the first centre of its type in Azerbaijan, was set up in August 2011. The Centre takes in children and young people between the ages of 5 and 23 years who are, or are at risk of becoming, victims of various forms of violence and crime. The Centre has a temporary shelter to ensure the safety of children who have been subjected to physical, psychological or sexual violence, or suffer from neglect.

222. The procedure for State monitoring of children's rights was approved under a presidential decree of 8 May 2012. In line with the procedure and article 51.7 of the Family Code, the State Committee for the Family, Women and Children, the Ministry of Internal Affairs, the Ministry of Education, the Ministry of Health, the Ministry of Labour and Social Protection, the Ministry of Youth and Sport, the Youth Affairs and Youth Rights Commission and local guardianship agencies are responsible for monitoring respect for children's rights and interests.

223. In 2006, a State programme for the period 2006–2015 was adopted by presidential decree on the placement of children in State children's homes and alternative care in Azerbaijan.

224. Under the programme, 28 residential schools have been transformed into specialized secondary schools, upper secondary schools and grammar schools, and 2 boarding schools were closed down. To organize special education at local level, 17 general boarding schools were converted to grammar schools in the 2016/17 school year.

225. To improve the health system, in addition to disability assessment and social protection for persons with disabilities, the Ministry of Labour and Social Protection has established a subsystem covering the medical and social assessment and rehabilitation of persons with disabilities. The paper-free subsystem has made it possible to improve the speed of communication and requires only a minimum of contact between officials and citizens. The use of the new information technology system has made it possible to introduce electronic disability certificates, with the results of examinations provided in electronic form.